

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UTHERVERSE GAMING LLC,

Plaintiff,

v.

EPIC GAMES INC.,

Defendant.

Case No. C21-799-RSM-TLF

ORDER ADOPTING REPORTS AND
RECOMMENDATIONS AT DKT. #369
AND DKT. #373

The Court, having reviewed the Reports and Recommendations of Judge Theresa L. Fricke, United States Magistrate Judge, objections, and the remaining record, does hereby find and ORDER:

(1) the Court adopts the Report and Recommendation at Dkt. #369;

(2) Defendant's motion for summary judgment as to the '071 Patent is GRANTED on the basis it is invalid under 35 U.S.C. § 101 and *Alice Corp. Pty. Ltd. V. CLS Bank Int'l*, 573 U.S. 208 (2014);

(3) Defendant's motion for summary judgment as to the '071 Patent is GRANTED on the basis of non-infringement;

(4) Defendant's motion for summary judgment as to each claim asserted for the '605 Patent is DENIED;

ORDER ADOPTING REPORTS AND RECOMMENDATIONS AT DKT. #369 AND DKT. #373 - 1

1 (5) the Court adopts in part the Report and Recommendation at Dkt. #373;

2 (6) Plaintiff's motion for partial summary judgment on infringement regarding claims 1
3 and 8 of the '071 Patent is DENIED; the motion is otherwise DENIED on all
4 remaining issues as MOOT given the Court's adoption of the Report and
5 Recommendation at Dkt. #369 and Defendant's statement in briefing, "[i]f the Court
6 adopts the Report and Recommendation to grant Epic's Motion for Summary
7 Judgment with respect to noninfringement and/or invalidity of the '071 Patent (Dkt.
8 369), the Court need not address these objections, which pertain only to the '071
9 Patent." See Dkt. #383 at 1 n.1. The Court believes that the findings of non-
10 infringement and invalidity as to the '071 Patent render Defendants' applicable
11 affirmative defenses and counterclaims moot.
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14 (7) The parties are to file a joint status report setting forth the remaining issues in this
15 case, remaining/proposed case scheduling deadlines, and a proposed trial date. This
16 report shall be filed no later than fourteen (14) days from the date of this Order.
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18 DATED this 12th day of February, 2024.

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21 RICARDO S. MARTINEZ
22 UNITED STATES DISTRICT JUDGE
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